

PTO/SB/21 (09-04)

| | | | |
|--|----------------------|------------------------|-----------------|
| TRANSMITTAL FORM | Application Number | 10/825,864 | |
| | Filing Date | April 16, 2004 | |
| | First Named Inventor | DAI, GUANGMING | |
| | Art Unit | 3737 | |
| | Examiner Name | | |
| (to be used for all correspondence after initial filing) | | Attorney Docket Number | 018158-023010US |
| Total Number of Pages in This Submission | | | |

| ENCLOSURES (Check all that apply) | | | | |
|---|---|--|---------|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> ▪ Copy of return-receipt postcard (1 pg) ▪ Supplemental Amendment (9 pgs) ▪ Stmt. under 37 CFR 3.73(b) (1 pg) ▪ Copy of Notice to File Missing Parts... (2 pgs) | | |
| <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Remarks</td> <td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td> </tr> </table> | | | Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
| Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. | | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|------------------------------------|----------|--------|
| Firm Name | Townsend and Townsend and Crew LLP | | |
| Signature | | | |
| Printed name | Nathan S. Cassell | | |
| Date | 20 December 2004 (Monday) | Reg. No. | 42,396 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-------------|------|----------|
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 746-4060 on the date stated below. | | | |
| Signature | | | |
| Typed or printed name | Nancy Pizzo | Date | 12/20/04 |

60382697 v1



PTO/SB/17 (10-04)

**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 2320**Complete If Known**

| | |
|----------------------|-----------------|
| Application Number | 10/825,864 |
| Filing Date | April 16, 2004 |
| First Named Inventor | DAI, GUANGMING |
| Examiner Name | |
| Art Unit | 3737 |
| Attorney Docket No. | 018158-023010US |

| METHOD OF PAYMENT (check all that apply) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------------|----------------|----------------|----------|----------|------------|----------|----------|--------------------|----------|----------|----------------|--------------------|--|-----------------|----------|------------------------|-----|-----------------------------------|--|---------------------------------------|--|--|--|--|--|
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit-Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Deposit Account: | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Deposit Account Number | 20-1430 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Deposit Account Name | Townsend and Townsend and Crew LLP | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The Director is authorized to: (check all that apply) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FEE CALCULATION | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. BASIC FILING FEE | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code (\$)</td><td>Fee Code (\$)</td></tr><tr><td>1001 790</td><td>2001 395</td></tr><tr><td>1002 350</td><td>2002 175</td></tr><tr><td>1003 550</td><td>2003 275</td></tr><tr><td>1004 790</td><td>2004 395</td></tr><tr><td>1005 180</td><td>2005 80</td></tr></tbody></table> | Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | 1001 790 | 2001 395 | 1002 350 | 2002 175 | 1003 550 | 2003 275 | 1004 790 | 2004 395 | 1005 180 | 2005 80 | <table><thead><tr><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Utility filing fee</td><td>790</td></tr><tr><td>Design filing fee</td><td></td></tr><tr><td>Plant filing fee</td><td></td></tr><tr><td>Reissue filing fee</td><td></td></tr><tr><td>Provisional filing fee</td><td></td></tr></tbody></table> | Fee Description | Fee Paid | Utility filing fee | 790 | Design filing fee | | Plant filing fee | | Reissue filing fee | | Provisional filing fee | |
| Large Entity | Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Code (\$) | Fee Code (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1001 790 | 2001 395 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1002 350 | 2002 175 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1003 550 | 2003 275 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1004 790 | 2004 395 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1005 180 | 2005 80 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Utility filing fee | 790 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Design filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plant filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reissue filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Provisional filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (1) (\$)790 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>84</td><td>-20** = 24</td><td>X\$50</td><td>\$1200</td></tr><tr><td>Independent Claims</td><td>4</td><td>-3** = 1</td><td>X\$200 = \$200</td></tr><tr><td>Multiple Dependent</td><td></td><td>X</td><td></td></tr></tbody></table> | | Total Claims | Extra Claims | Fee from below | Fee Paid | 84 | -20** = 24 | X\$50 | \$1200 | Independent Claims | 4 | -3** = 1 | X\$200 = \$200 | Multiple Dependent | | X | | | | | | | | | | | |
| Total Claims | Extra Claims | Fee from below | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | |
| 84 | -20** = 24 | X\$50 | \$1200 | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims | 4 | -3** = 1 | X\$200 = \$200 | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple Dependent | | X | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code (\$)</td><td>Fee Code (\$)</td></tr><tr><td>1202 18</td><td>2202 9</td></tr><tr><td>1201 88</td><td>2201 44</td></tr><tr><td>1203 300</td><td>2203 150</td></tr><tr><td>1204 88</td><td>2204 44</td></tr><tr><td>1205 18</td><td>2205 9</td></tr></tbody></table> | Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | 1202 18 | 2202 9 | 1201 88 | 2201 44 | 1203 300 | 2203 150 | 1204 88 | 2204 44 | 1205 18 | 2205 9 | <table><thead><tr><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Claims in excess of 20</td><td></td></tr><tr><td>Independent claims in excess of 3</td><td></td></tr><tr><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table> | Fee Description | Fee Paid | Claims in excess of 20 | | Independent claims in excess of 3 | | Multiple dependent claim, if not paid | | ** Reissue independent claims over original patent | | ** Reissue claims in excess of 20 and over original patent | |
| Large Entity | Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Code (\$) | Fee Code (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1202 18 | 2202 9 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1201 88 | 2201 44 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1203 300 | 2203 150 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1204 88 | 2204 44 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1205 18 | 2205 9 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Claims in excess of 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims in excess of 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple dependent claim, if not paid | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ** Reissue independent claims over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ** Reissue claims in excess of 20 and over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (2) (\$)1400 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **or number previously paid, if greater; For Reissues, see above | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------------------|--------------|-------------------|-------------------|----------|---------|---------|---------|----------|----------|------------|------------|-----------|-----------|-------------|-------------|----------|---------|----------|----------|----------|----------|------------|----------|------------|------------|----------|----------|----------|----------|----------|----------|------------|------------|----------|---------|------------|----------|------------|----------|----------|----------|----------|----------|----------|----------|---------|---------|----------|----------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|--|-----------------|----------|-------------------------------------|-----|--|--|---------------------------|--|---|--|--|--|---|--|--|--|---|--|--|--|---|--|--|--|------------------|--|--|--|--------------------------|--|---|--|----------------------------------|--|------------------------------------|--|--------------------------------|--|------------------|--|-----------------|--|-------------------------------|--|-------------------------------------|--|---|--|--|--|---|--|--|--|---|--|---|--|
| 3. ADDITIONAL FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table><thead><tr><th>Large Entity</th><th>Small Entity</th></tr></thead><tbody><tr><td>Fee Code Fee (\$)</td><td>Fee Code Fee (\$)</td></tr><tr><td>1061 130</td><td>2051 85</td></tr><tr><td>1052 50</td><td>2052 25</td></tr><tr><td>1053 130</td><td>1053 130</td></tr><tr><td>1812 2,520</td><td>1812 2,520</td></tr><tr><td>1804 920*</td><td>1804 920*</td></tr><tr><td>1805 1,840*</td><td>1805 1,840*</td></tr><tr><td>1251 110</td><td>2251 55</td></tr><tr><td>1252 430</td><td>2252 215</td></tr><tr><td>1253 980</td><td>2253 490</td></tr><tr><td>1254 1,530</td><td>2254 765</td></tr><tr><td>1255 2,080</td><td>2255 1,040</td></tr><tr><td>1401 340</td><td>2401 170</td></tr><tr><td>1402 340</td><td>2402 170</td></tr><tr><td>1403 300</td><td>2403 150</td></tr><tr><td>1451 1,510</td><td>1451 1,510</td></tr><tr><td>1452 110</td><td>2452 55</td></tr><tr><td>1453 1,330</td><td>2453 665</td></tr><tr><td>1501 1,370</td><td>2501 685</td></tr><tr><td>1502 490</td><td>2502 245</td></tr><tr><td>1503 660</td><td>2503 330</td></tr><tr><td>1460 130</td><td>1460 130</td></tr><tr><td>1807 50</td><td>1807 50</td></tr><tr><td>1808 180</td><td>1808 180</td></tr><tr><td>8021 40</td><td>8021 40</td></tr><tr><td>1809 790</td><td>2809 395</td></tr><tr><td>1810 790</td><td>2810 395</td></tr><tr><td>1801 790</td><td>2801 395</td></tr><tr><td>1802 900</td><td>1802 900</td></tr></tbody></table> | Large Entity | Small Entity | Fee Code Fee (\$) | Fee Code Fee (\$) | 1061 130 | 2051 85 | 1052 50 | 2052 25 | 1053 130 | 1053 130 | 1812 2,520 | 1812 2,520 | 1804 920* | 1804 920* | 1805 1,840* | 1805 1,840* | 1251 110 | 2251 55 | 1252 430 | 2252 215 | 1253 980 | 2253 490 | 1254 1,530 | 2254 765 | 1255 2,080 | 2255 1,040 | 1401 340 | 2401 170 | 1402 340 | 2402 170 | 1403 300 | 2403 150 | 1451 1,510 | 1451 1,510 | 1452 110 | 2452 55 | 1453 1,330 | 2453 665 | 1501 1,370 | 2501 685 | 1502 490 | 2502 245 | 1503 660 | 2503 330 | 1460 130 | 1460 130 | 1807 50 | 1807 50 | 1808 180 | 1808 180 | 8021 40 | 8021 40 | 1809 790 | 2809 395 | 1810 790 | 2810 395 | 1801 790 | 2801 395 | 1802 900 | 1802 900 | <table><thead><tr><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>Non-English specification</td><td></td></tr><tr><td>For filing a request for ex parte reexamination</td><td></td></tr><tr><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>Extension for reply within first month</td><td></td></tr><tr><td>Extension for reply within second month</td><td></td></tr><tr><td>Extension for reply within third month</td><td></td></tr><tr><td>Extension for reply within fourth month</td><td></td></tr><tr><td>Extension for reply within fifth month</td><td></td></tr><tr><td>Notice of Appeal</td><td></td></tr><tr><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>Request for oral hearing</td><td></td></tr><tr><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>Petition to revive - unintentional</td><td></td></tr><tr><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>Design issue fee</td><td></td></tr><tr><td>Plant issue fee</td><td></td></tr><tr><td>Petitions to the Commissioner</td><td></td></tr><tr><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>Filing a submission after final rejection (37 CFR § 1.128(a))</td><td></td></tr><tr><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table> | Fee Description | Fee Paid | Surcharge - late filing fee or oath | 130 | Surcharge - late provisional filing fee or cover sheet | | Non-English specification | | For filing a request for ex parte reexamination | | Requesting publication of SIR prior to Examiner action | | Requesting publication of SIR after Examiner action | | Extension for reply within first month | | Extension for reply within second month | | Extension for reply within third month | | Extension for reply within fourth month | | Extension for reply within fifth month | | Notice of Appeal | | Filing a brief in support of an appeal | | Request for oral hearing | | Petition to institute a public use proceeding | | Petition to revive - unavoidable | | Petition to revive - unintentional | | Utility issue fee (or reissue) | | Design issue fee | | Plant issue fee | | Petitions to the Commissioner | | Processing fee under 37 CFR 1.17(q) | | Submission of Information Disclosure Stmt | | Recording each patent assignment per property (times number of properties) | | Filing a submission after final rejection (37 CFR § 1.128(a)) | | For each additional invention to be examined (37 CFR § 1.129(b)) | | Request for Continued Examination (RCE) | | Request for expedited examination of a design application | |
| Large Entity | Small Entity | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Code Fee (\$) | Fee Code Fee (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1061 130 | 2051 85 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1052 50 | 2052 25 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1053 130 | 1053 130 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1812 2,520 | 1812 2,520 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1804 920* | 1804 920* | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1805 1,840* | 1805 1,840* | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1251 110 | 2251 55 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1252 430 | 2252 215 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1253 980 | 2253 490 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1254 1,530 | 2254 765 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1255 2,080 | 2255 1,040 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1401 340 | 2401 170 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1402 340 | 2402 170 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1403 300 | 2403 150 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1451 1,510 | 1451 1,510 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1452 110 | 2452 55 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1453 1,330 | 2453 665 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1501 1,370 | 2501 685 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1502 490 | 2502 245 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1503 660 | 2503 330 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1460 130 | 1460 130 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1807 50 | 1807 50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1808 180 | 1808 180 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8021 40 | 8021 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1809 790 | 2809 395 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1810 790 | 2810 395 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1801 790 | 2801 395 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1802 900 | 1802 900 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge - late filing fee or oath | 130 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge - late provisional filing fee or cover sheet | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Non-English specification | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| For filing a request for ex parte reexamination | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Requesting publication of SIR prior to Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Requesting publication of SIR after Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Extension for reply within first month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Extension for reply within second month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Extension for reply within third month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Extension for reply within fourth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Extension for reply within fifth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Notice of Appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Filing a brief in support of an appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Request for oral hearing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Petition to institute a public use proceeding | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Petition to revive - unavoidable | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Petition to revive - unintentional | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Utility issue fee (or reissue) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Design issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plant issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Petitions to the Commissioner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee under 37 CFR 1.17(q) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Submission of Information Disclosure Stmt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recording each patent assignment per property (times number of properties) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Filing a submission after final rejection (37 CFR § 1.128(a)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| For each additional invention to be examined (37 CFR § 1.129(b)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Request for Continued Examination (RCE) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Request for expedited examination of a design application | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)130 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | |
|---------------------|-------------------|-----------------------------------|--------------|
| SUBMITTED BY | | Complete (if applicable) | |
| Name (Print/Type) | Nathan S. Cassell | Registration No. (Attorney/Agent) | 42,396 |
| Signature | | Telephone | 650-326-2400 |
| | | Date | 12/20/2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

60382720 v1

Atty Docket No. 018158-023010US

PTO FAX NO.: 703-746-4060

ATTENTION: Initial Patent Examination Division

Group Art Unit 3737



OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF

INITIAL PATENT EXAMINATION DIVISION

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents in re Application of Guangming DAI et al.,
Application No. 10/825,864, filed April 16, 2004

for SYSTEMS AND METHODS FOR CORRECTING HIGH ORDER ABERRATIONS IN
LASER REFRACTIVE SURGERY

are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: **52**

Dated: 20 December 2004

Nancy Pizzo
Nancy Pizzo

Documents Attached

1. SB/21 - Transmittal Form
2. SB/17 - Fee Transmittal Form
3. Preliminary Amendment (with copy of return-receipt postcard) (5 pages)
4. SB/01A - Declaration For Utility or Design Application (2 pages)
5. Application Data Sheet (2 pages)
6. SB/80 - Power of Attorney (1 pg)
7. SB/96 - Stmt. under 37 C.F.R. § 3.73(b) (1 page)
8. Copy of Notice to File Missing Parts of Nonprovisional Application (3 pages)
9. Supplemental Preliminary Amendment (9 pgs)
10. Formal Drawings (26 sheets)

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 650-326-2400
Fax: 650-326-2422
6038275B v1

RECEIVED
DEC 21 2004
OIPE/JCWS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (e) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/825,864 | 04/16/2004 | Guangming Dai | 018158-023010US |

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 8201

FORMALITIES LETTER



OC000000014103839

Date Mailed: 10/18/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

12/22/2004 AWONDAF1 00000024 201430 10825864

The following item(s) appear to have been omitted from the application.

- | | | |
|--|------------|------------|
| | 01 FC:1001 | 790.00 DA |
| | 02 FC:1051 | 130.00 DA |
| | 03 FC:1201 | 200.00 DA |
| | 04 FC:1202 | 1200.00 DA |
- Figure(s) Fig. 17A, 17B & 17C, described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1240** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2160** for a Large Entity

- **\$790** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1240**
 - **\$88** for 1 independent claims over 3.
 - **\$1152** for 64 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE